IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 18317 of 2007(E)

PETITIONER:

KERBY MATCH INDUSTRIES, KAKKAD
PIRAVOM REPRESENTED BY ITS PARTNER
EBY KURIAKKOSE, ITS PARTNER.

BY ADV. SRI.S.ANIL KUMAR (TRIVANDRUM)
SRI.HARIHARAN NAIR

RESPONDENTS:
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1. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM.

2. THE COMMERCIAL TAX OFFICER,
MUVATTUPUZHA.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, MUVATTUPUZHA.

BY G.P. SRI. MOHAMMED RAFFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 18317 OF 2007

Dated this the 14th day of June, 2007

JUDGMENT

Heard counsel for the petitioner and Government Pleader. petritioner has filed appeals against sales tax assessments for the years 2003-04 and 2004-05. Since stay orders are not obtained by the petitioner, Ext.P9 revenue recovery proceedings were initiated. It is seen that petitioner has remitted around Rs. 1.5 lakhs under two receipts dated 30.3.2007, one for Rs. 33,497/- and another for Rs. 1,15,936/-. Petitioner's grievance is that revenue recovery proceedings are still continued against the petitioner inspite of above payment. Having regard to the contentions raised, I direct the respondents to withhold recovery proceedings till disposal of the appeals on petitioner depositing a further sum of Rs. 1.5 lakhs within one month from now. The appellate authority is directed to take up the appeals out of turn and dispose of the same within three months from the date of making payment as above.

(C.N.RAMACHANDRAN NAIR)
Judge